

Number: 2002 -06
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Subject: ESTABLISHMENT OF STANDARD RULES OF PRACTICE AND PROCEDURE FOR FIELD DIVISION OPERATIONS

Purpose: This bulletin will establish the process for creating clear and consistent standards for all field divisions within the Inspectional Services Department. Standardization of rules and procedures support the fair and consistent administration of the laws and regulations ISD is legally obligated to enforce. This bulletin memorializes the standard operating procedures within each division to ensure greater accountability and to provide direction to division staff.

General Considerations: Boston Inspectional Services Department ("ISD") personnel are charged with great responsibility and trust in ensuring the well being of the public health, welfare and safety. Consistent, clear and efficient operational protocols are essential to ensuring that Department personnel fairly and effectively administer the law that ISD is legally obligated to enforce. Memorializing a clear set of standard rules of practice and procedure for each field division will support accountability from both employees and managers and ensure fairness in the workplace and in the administration of the law. These standard rules of practice and procedure shall be read in concert with existing work rules, not replace existing work rules.

Note: For the purpose of clarity and brevity, the pronouns "He" and "His" are used editorially throughout this rule and it should be interpreted as gender neutral.

§ 1. Creation of and purpose: Each field division shall develop and operate under standard rules of practice and procedure published by Commissioner's Bulletin to serve as the standard for proper day to day operation of the division. These written standard rules of practice and procedure will be the controlling standard operating procedure for each field division. There shall be no deviation from these standard rules of practice and procedure without special circumstances and approval from the Commissioner's office. Any employee who is given an order from a supervisor that the employee feels is inconsistent with the division's standard rules of practice and procedures shall state the objection to the supervisor and the basis for the objection. The employee shall continue to follow the directions of the supervisor if that supervisor decides to reject the objection, unless a supervisor of higher authority provides a different order of action. The employee may note the objection in writing to the Commissioner's office or the Personnel Director to resolve the conflict of interpretation. The written objection should state the supervisor's name, circumstances, time, date and location and the basis for the objection. Each field division shall publish a set of standard rules of practice and procedures by Commissioner's Bulletin as follows:

- 2002-6a *Standard Rules of Practice and Procedure for the Building Department personnel*
- 2002-6b *Standard Rules of Practice and Procedure for Code Enforcement Police personnel*
- 2002-6c *Standard Rules of Practice and Procedure for Environmental Services Division personnel*
- 2002-6d *Standard Rules of Practice and Procedure for Health Division personnel*
- 2002-6e *Standard Rules of Practice and Procedure for Housing Division personnel*
- 2002-6f *Standard Rules of Practice and Procedure for Weights and Measures Division personnel*
- 2002-6g *[reserved]*

§ 2 Development of Standard Rules and Procedures: The assistant commissioner in each division shall be responsible for developing, updating and ensuring the implementation of the standard rules and procedures for the division under his charge. The assistant commissioner shall be responsible for ensuring the standard rules and procedures in the Bulletin are consistent with existing laws and regulations.

§ 2a Content: The legal standards established in the Massachusetts General Laws and Code of Massachusetts Regulations administered by each division shall serve as the basis for defining the standards, procedures, process and jurisdiction for the standard day to day operation of each division within the Inspectional Services Department. Each division's standard rules and procedures shall reflect the relevant legal authority in clearly defining, at a minimum, the following:


- *Public Integrity Policy*: This section shall spell out the Department's policy as that of the division.
- *Chain of Command for the Division and Department*: The command structure of the division including its managers and the responsibilities of those managers shall be described.
- *Staff schedules*: Employee work day hours and breaks shall be described.
- *Process for making Inter- division Referrals, Media Inquiries, Foreign Language Interpretation and Use of ISD Issued Equipment* policies shall be stated for the division consistent with ISD policy. .
- *Intake procedures*: This section shall describe the process for handling the intake of complaints, questions or applications for permits licenses or certificates issued by the Division. The section shall also define how to classify a situation in either the emergency or non-emergency category and the necessary response for each. Response time to such issues shall also be stated.
- *Inspections*: This section shall state the legal authority for when the division shall perform inspections. The objective, scope and procedure for all inspections shall be defined here in accordance with the relevant law.
- *Violations*: This section shall state the legal authority setting the standard for the issuance of violation notices, fines and the legal process for executing such. Laws and regulations may be incorporated by reference where they are too numerous or cumbersome to detail here.
- *Condemnations, revocations or suspensions*: This section shall state the legal standard for any condemnation, permit/ license revocation or suspension or any other legally authorized action that may be taken by the division. The process for executing such actions shall be stated here and include citation to the proper legal authority for such action or process. The division's process for lifting such action shall also be stated.

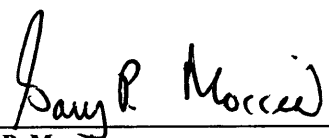
§2b. *Updates*: The assistant commissioner of each division shall be responsible for updating the division's standard rules and procedures as needed to conform with staff changes, changes in the law or operation changes to the Division.

§3b. **Process for issuing Standard Rules of Practice and Procedures.** Each assistant commissioner shall submit a draft Bulletin containing the division's standard rules and procedures to the Commissioner's office for review. The Commissioner's office and the assistant commissioner for the division shall review the document for completeness, efficiency, clarity and proper legal basis of authority. The draft of the document shall then be published following any necessary editing. The assistant commissioner shall then present the published version of the Bulletin to the division staff. The assistant commissioner must then submit, within 30 days of publication, a list, signed and dated by all division employees, acknowledging receipt and understanding of the division's published Commissioner's Bulletin.

§4. **Failure to Comply**: Any staff person, including a manager, who fails to follow the division's standard rules and procedures could be subject to employee discipline pursuant to the employee's respective collective bargaining agreement. The standard rules and procedures shall serve as the basis for judging the appropriateness of an employee's conduct in the course of professional duty for the division.

§5. **REVOCTION OF PREVIOUS BULLETINS**: All previous Commissioner's Bulletins or documents guiding the standard day to day operating procedure of any division is revoked upon publication of this bulletin. Commissioner's Bulletin 2002-1 "*Standard Rules of Practice and Procedure for Housing Inspectors and Housing Inspection Division employees*" shall republished as Commissioner's Bulletin 2002-6d "*Standard Rules of Practice and Procedure for Housing Inspectors and Housing Inspection Division employees.*"


 Signed: Kevin J. Joyce
 Commissioner
 Date: 10.18.02


 Gary P. Mocella
 Assistant Commissioner of the Department
 Date: 10/18/02